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PATENT
Attorney Docket No. 05725.1242-00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Bertrand LION et al.) Group Art Unit: 1796
Application No.: 10/670,478) Examiner: H. PEZZUTO
Filed: September 26, 2003)
For: NOVEL BLOCK POLYMERS AND) Confirmation No.: 7403
COSMETIC COMPOSITIONS AND)
PROCESSES COMPRISING)
THEM)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents listed on the attached PTO SB/08 Form. This Information Disclosure Statement is being filed before the mailing date of a first Office Action after the filing of a Request for Continued Examination.

Copies of the listed foreign and non-patent literature documents are attached.

The United States Court of Appeals for the Federal Circuit held in *Dayco Products, Inc. v. Total Containment, Inc.*, 329 F.3d 1358, 66 U.S.P.Q.2d 1801 (Fed. Cir. 2003), that an "adverse decision" by another examiner may meet the materiality standard under the amended Rule 56, and thus, Applicants should disclose prior rejections of "substantially similar claim[s]" to the Office. See also M.P.E.P.

§ 2001.06(b). Accordingly, although Applicants are not representing that the Office Actions in the co-pending applications are material to the present application and are not admitting that any of the other claims are substantially similar, out of an abundance of caution, Applicants have listed the substantive Office Actions in co-pending applications on the attached form.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

The following is a statement regarding the non-English language documents:

1. EP 1 518 535 - An English Language Derwent abstract of this document is cited on the enclosed Form PTO/SB/08 and submitted herewith. This document is also believed to be related to co-pending U.S. App. No. 10/949,435 (Attorney Docket No. 05725.1375-00000), cited on the Information Disclosure Statement filed May 14, 2010.
2. FR 1 222 944 – An English Language Derwent abstract of this document is cited on the enclosed Form PTO/SB/08 and submitted herewith. This document is also believed to be related to Great Britain Patent No. 0 922 457, cited on the enclosed Form PTO/SB/08 and submitted herewith.
3. FR 1 400 366 – This document is believed to be related to Great Britain Patent No. 1 021 400, cited on the enclosed Form PTO/SB/08 and submitted herewith.
4. FR 1 564 110 – An English Language Derwent abstract of this document is cited on the enclosed Form PTO/SB/08 and submitted herewith.

5. FR 2 357 241 – An English Language Derwent abstract of this document is cited on the enclosed Form PTO/SB/08 and submitted herewith.
6. FR 2 880 268 – An English Language Derwent abstract of this document is cited on the enclosed Form PTO/SB/08 and submitted herewith.
7. LU 75370 - This document is believed to be related to Great Britain Patent No. 1 572 626 cited on the enclosed Form PTO/SB/08.
8. LU 75371 - This document is believed to be related to U.S. Patent No. 4,289,752, cited in the Information Disclosure Statement filed May 14, 2010.
9. JP 2006-15187 – An English Language Derwent abstract of this document is cited on the enclosed Form PTO/SB/08 and submitted herewith.
10. French Search Report for FR 0403088 - This is the Search Report for French Patent Application No. 0403088, which is the French priority application for related U.S. App. No. 11/089,172 (Attorney Docket No. 06028.0096-00000).
11. French Search Report for FR 0653154 - This is the Search Report for French Patent Application No. 0653154, which is the French priority application for co-pending U.S. App. No. 11/878,067 (Attorney Docket No. 133312).

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claims in the application and Applicant determines that the cited document(s) do not constitute "prior art" under United States law,

applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: May 24, 2010

By: Adam Breier
Adam M. Breier, Ph.D.
Reg. No. 63,718
(202) 408-4000